

Documents with Commentary

UN Security Council Resolution 2378 (2017) and the Progressive Peacekeeping Agenda: a commentary

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UN Security Council Resolution 2378, which was unanimously adopted¹ on 20 September 2017, is a notable resolution, bringing together, while attempting to drive forward, various ideas and reform proposals that have emerged in recent years in connection with United Nations peacekeeping operations. The fact that it was proposed by Ethiopia,² deliberated in Addis Ababa and adopted during Ethiopia's presidency of the Security Council are testaments to the central role that this state has played, and continues to play, in UN peacekeeping, perhaps most notably through its position as the leading troop-contributing country to such operations.³ In this respect, it is notable that the resolution '[u]nderscor[es] the importance of peacekeeping as the most effective tools [sic] available to the United Nations in the promotion and maintenance of international peace and security',⁴ while also '[r]eaffirming [the Security Council's] resolve to strengthen the central role of the United Nations in peacekeeping and to ensure the effective functioning of the collective security system established by the Charter of the United Nations'.⁵

Following on from both the 2015 report of the High-level Panel on Peace Operations, *Uniting our Strengths for Peace*,⁶ and the follow up report of the UN Secretary-General, *The future of United Nations peace operations*,⁷ as well as the 'Leader's Summit on Peacekeeping' held in New York in September 2015 where new commitments were pledged by over 50 states,⁸ the five-page resolution, *inter alia*:

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¹ For fully supportive statements of Council members and the unanimous vote on the resolution see Security Council 8051st meeting Wednesday, 20 September 2017 (UN Doc S/PV.8051), pp.1-35 at https://digitallibrary.un.org/record/1304967/files/S_PV-8051-EN.pdf

² See Letter dated 22 August 2017 from the Permanent Representative of Ethiopia to the United Nations addressed to the Secretary-General (S/2017/766) at <https://digitallibrary.un.org/record/1304967?ln=en>

³ See <http://www.providingforpeacekeeping.org/2014/04/03/contributor-profile-ethiopia/>. During the adoption of resolution 2378, his Excellency Secretary-General António Guterres, thanked 'this month's presidency of the Security Council, Ethiopia, for being such a steadfast contributor to peacekeeping. Its personnel are on the front lines in some of our most challenging missions, and we are extremely grateful for that commitment'. See Security Council 8051st meeting Wednesday, 20 September 2017, UN Doc S/PV.8051, p. 2.

⁴ UNSC Resolution 2378 (2017), preamble.

⁵ Ibid.

⁶ Report of the Independent High-level Panel on Peace Operations: *Uniting our Strengths for Peace: Politics, Partnership and People*, UN Doc. A/70/95-S/2015/446, 17 June 2015.

⁷ Secretary-General's Report, *The future of United Nations peace operations: implementation of the High-level Independent Panel on Peace Operations*, UN Doc. S/2015/682, 2 September 2015.

⁸ 'Leaders' Summit on Peacekeeping', September 2015 (New York) (Leaders' Summit on UN Peace Operations – 28 September 2015).

- reaffirms the need for the peaceful resolution of disputes, in particular through the utilization of the good offices of the Secretary-General;⁹
- affirms the importance of political solutions in the design and deployment of United Nations peacekeeping operations;¹⁰
- emphasizes the need for more thorough planning of peacekeeping missions and better training and equipping of their personnel;¹¹
- reaffirms its commitment to greater coordination with regional and subregional organisations, in particular the African Union;¹²
- urges greater care in devising achievable mandates that can be met;¹³
- stresses the need to fill the persistent capacity and capability gaps;¹⁴
- recognizes the importance of improving the accountability, transparency, efficiency and effectiveness of peacekeeping operations through consideration of the 2015 report and the recommendations of the UN Secretary General,¹⁵ as well as ensuring a zero-tolerance policy towards sexual exploitation or abuse;¹⁶
- furthermore, and in keeping alive debate regarding the controversial ‘Responsibility to Protect’ concept, the resolution is clear that ‘States bear the primary responsibility for protection of civilians throughout their whole territory while mindful of the important role United Nations peacekeeping operations play in this regard’.¹⁷

The UN Security Council also welcomed in the resolution the intention of the Secretary-General António Guterres to introduce peacekeeping reform,¹⁸ which sits within the plans of the Secretary-General for broader reform of the UN, and ‘[r]equests the Secretary-General to provide a comprehensive annual briefing to the Security Council on reform of United Nations peacekeeping every twelve months to be followed by a debate’.¹⁹ In this respect, it also ‘[u]nderlines the importance of adequate implementation and follow-up of United Nations peacekeeping reform’ and ‘requests its Working Group [established in 2001] to review reform initiatives’ in cooperation with Member States, in particular those who contribute troops and host countries.²⁰ While reform proposals have been made previously, the efforts of the resolution in ensuring continuous reporting and review of reform is not only welcome but necessary to maintain the momentum of the reform agenda.

The focus of many of the criticisms targeted towards peacekeeping – as well as initiatives at reforming it – has been the overly ambitious nature of the mandates provided to operations. While this tendency can be traced back to the United Nations Operation in the Congo (ONUC) in the 1960s,²¹ the post-Cold War era has witnessed the expansion of peacekeeping operations

⁹ UNSC Resolution 2378 (2017), para. 4

¹⁰ Ibid., preamble and para. 1.

¹¹ Ibid., preamble.

¹² Ibid., preamble, para. 14, para. 15.

¹³ Ibid., preamble.

¹⁴ Ibid., preamble, para. 11 and para. 17.

¹⁵ Ibid., para. 5, para. 6, para. 11, para. 12, para. 13 and para. 17.

¹⁶ Ibid., preamble and para. 19.

¹⁷ Ibid., preamble.

¹⁸ Ibid., para. 7, and para. 8.

¹⁹ Ibid., para. 10.

²⁰ Ibid., para. 9.

²¹ Boulden, J. (2015-07-09). United Nations Operation in the Congo (ONUC). In *The Oxford Handbook of United Nations Peacekeeping Operations*. : Oxford University Press. Retrieved 12 Nov. 2017, from <http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199686049.001.0001/oxfordhb-9780199686049-e-21>.

both in terms of them often taking on a multi-dimensional approach in securing the transition from conflict to stable government, such as the operations within Mali and the Central African Republic, but also, and significantly, in terms of the ‘robustness’ of the mandates that they have been provided with and the extent to which they are permitted to use force in self-defence and to achieve their mandates. In particular, the authorisation to United Nations Organization Stabilization Mission in The Dr Congo (MONUSCO)²² in 2013 to take ‘all necessary measures’ to conduct ‘targeted offensive operations’ through an ‘Intervention Brigade’ which were intended ‘to prevent the expansion of all armed groups, neutralize these groups, and to disarm them’²³ was controversial for obvious reasons and even labelled by the Security Council itself as ‘exceptional’.²⁴

It is noticeable, in this respect, that the resolution does not specifically mention or proffer any response to developments and controversies in these areas. While the resolution reaffirms ‘the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate’,²⁵ it does not elaborate upon these and the way they have been, or should be, implemented. Given that the resolution picks up upon many of the other key elements of the 2015 High-level Panel report and the follow up report of the UN Secretary-General, the fact that it apparently side-stepped this issue may be viewed as a notable omission. While the resolution’s contribution on this issue may have been implicitly tied in with its overarching theme of ‘efficiency and effectiveness’, the 2015 High-level Panel report was, in particular, keen to stress that while peacekeeping operations may take a liberal view of their right to defend their mandate – something which the Report claims always allows for the pro-active protection of civilians – enforcement action and counter-terrorism operations were to be left to others, in particular regional organisations and *ad hoc* coalitions of member states. In this respect, while Resolution 2378 (2017) is in many ways a progressive contribution to peacekeeping doctrine, building upon, or at least acknowledging, the 2015 High-level Panel report’s call for clarity on the use of force would have been a welcome addition to what was already a commendable resolution.

To date it has been both non-permanent member states of the Security Council and developing states within the UN that have ensured that peacekeeping operations have sufficient manpower to operate, as well as acting as the drivers of progressive change in regards to peacekeeping operations in general. Ultimately, Ethiopia should be commended for using its presidency of the Security Council to maintain and push forward the agenda of peacekeeping reform, particularly given the momentum that it has been provided with in the last few years. Resolution 2378 (2017) is a manifestation of its clear priorities in this respect.

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²² For details see <https://monusco.unmissions.org/en>

²³ UNSC Resolution 2098 (2013), para 12(b).

²⁴ *Ibid.*, para. 9.

²⁵ UNSC Resolution 2378 (2017), preamble.

<https://monusco.unmissions.org/en>

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Full Text of Resolution 2378 (2017) on, Adopted by the Security Council at its 8051st meeting, on 20 September 2017

(https://digitallibrary.un.org/record/1304966/files/S_RES_2378%282017%29-EN.pdf)